

DAN BURTON, INDIANA
CHAIRMAN

BENJAMIN A. GILMAN, NEW YORK
J. DENNIS HASTERT, ILLINOIS
CONSTANCE A. MORELLA, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
CHRISTOPHER COX, CALIFORNIA
ILEANA ROS-LEHTINEN, FLORIDA
JOHN M. McHUGH, NEW YORK
STEPHEN HORN, CALIFORNIA
JOHN L. MICA, FLORIDA
THOMAS M. DAVIS III, VIRGINIA
DAVID M. McINTOSH, INDIANA
MARK E. SOUDER, INDIANA
JOE SCARBOROUGH, FLORIDA
JOHN B. SHADEGG, ARIZONA
STEVEN C. LATOURETTE, OHIO
MARSHALL "MARK" SANFORD, SOUTH CAROLINA
JOHN E. SUNUNU, NEW HAMPSHIRE
PETE SESSIONS, TEXAS
MICHAEL PAPPAS, NEW JERSEY
VINCE SNOWBARGER, KANSAS
BOB BARR, GEORGIA
DAN MILLER, FLORIDA
RON LEWIS, KENTUCKY

ONE HUNDRED FIFTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
TTY (202) 225-6852

HENRY A. WAXMAN, CALIFORNIA
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA
ROBERT E. WISE, JR., WEST VIRGINIA
MAJOR R. OWENS, NEW YORK
EDDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
GARY A. CONDIT, CALIFORNIA
CAROLYN B. MALONEY, NEW YORK
THOMAS M. BARRETT, WISCONSIN
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
CHAKA FATTAH, PENNSYLVANIA
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
ROD R. BLAGOJEVICH, ILLINOIS
DANNY K. DAVIS, ILLINOIS
JOHN F. TIERNEY, MASSACHUSETTS
JIM TURNER, TEXAS
THOMAS H. ALLEN, MAINE
HAROLD E. FORD, JR., TENNESSEE

BERNARD SANDERS, VERMONT
INDEPENDENT

February 11, 1999

The Honorable Janet Reno
Attorney General of the United States
United States Department of Justice
Washington, D.C. 20530

Dear General Reno:

Yesterday's article in the *New York Times*, "U.S. Inquiry on Starr is Seen," is only the latest in a long line of what appear to be politically motivated leaks emanating from your Department. While Department of Justice leaks aimed at Judge Starr are not new, the fact that such sensitive information would be leaked to the press in the closing days of the Senate impeachment trial raises the specter of political interference. In November, shortly before Judge Starr's Judiciary Committee appearance, damaging information was also leaked in a partisanly timed manner. As my Senate colleague Senator Domenici noted in today's *New York Post*: "She's [the Attorney General] not investigating anybody else. I don't know why she's investigating him."

On Tuesday of this week it was trumpeted in the media that the Department will "investigate the handling of the Lewinsky matter." In an Associated Press report, the information is attributed to a "Government official, who spoke on the condition of anonymity." (See Attachment 1) On Wednesday, the *New York Times* reported the department will "begin an inquiry to determine whether Kenneth W. Starr's prosecutors misled Attorney General Janet Reno about possible conflicts of interest when they obtained permission to investigate the Lewinsky matter." As with the report on Tuesday, the information is derived from "officials, who spoke on the condition of anonymity." (See Attachment 2)

On October 2, 1998, "a senior Justice Department official" used the *Washington Post* as a forum to diminish John Huang's relevance and importance to the Department of Justice's campaign finance investigation. This extraordinarily counterproductive -- and politically motivated -- leak by a Department of Justice employee was followed by your assurance to this

Committee that you would conduct an investigation. Despite my request that this committee be kept informed, as of this date, all we have heard is that there is supposedly an ongoing investigation -- which has apparently been ongoing almost since the beginning of the campaign finance investigation. Not surprisingly, your own investigation of your own Department's leaks has apparently yielded nothing. For over two years your Department has leaked in a politically timed manner -- even leaking highly classified information.

With this politically motivated Department of Justice leak as background -- not to mention disturbing leaks pertaining to DNC issue advertisements, the La Bella memorandum, Johnny Chung's testimony, and the "China Plan" -- we now have this political attack on Independent Counsel Starr. Indeed, Department spokesmen have commented on numerous occasions when questioned about investigations pertaining to Democrats that department policy is to "neither confirm nor deny an investigation." It certainly appears that when it is politically expedient, this policy is not followed.

Both the substance and the timing of the material emanating from the Department of Justice -- particularly in light of the Senate impeachment vote this week -- suggest that someone in the department, possibly a senior official with access to this sensitive information, is attempting to influence the outcome of the Senate trial. As I stated in my letter of December 7, 1998, "it appears that many in the senior ranks of the Justice Department may be attempting to aid the Administration by prematurely releasing information." (See Attachment 3) As many have noted in observing your inappropriate insistence on overseeing of the politically tainted campaign finance investigation, this is the most partisan Justice Department since Watergate.

These attacks on the Independent Counsel are pernicious. They represent a politicization of the Department of Justice. As the Senate deliberates in an attempt to determine the place of the rule of law in our democracy, the Administration, through your department, has fired yet another shot across the bows of justice. The tactics presently employed will leave a diminished Department of Justice, and do irreparable harm to the rule of law in this country.

At a bare minimum, the selective leaking of information about your internal investigation into the Office of Independent Counsel Starr brings into question the legitimacy of the investigation and the motivation behind bringing it. In addition, given that most of these allegations have already been dismissed by Judge Norma Holloway Johnson, the motivation behind pursuing these allegations is even more suspect. While we are all well aware that Presidential allies such as James Carville have declared war on Independent Counsel Starr, we would hope that the generals of that war would not be working at the Department of Justice.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Burton". The signature is fluid and cursive, with a large, sweeping initial "D".

Dan Burton
Chairman